G.R., G D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET (B)

Subject :—

File No. 9055

_____ DEPT.

_____ BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

Confidential C.S.D./XI-A.
Immediate.

The Essential Supplies (Temporary Powers) Act, 1946 is due to expire on 25-1-55. Steps were, therefore, required to be taken to continue in force such of the control orders issued under the above Act as were required to be enforced even after 25-1-55.

2. So far as the Orders relating to foodgrains and milk are concerned it has been decided to reissue the existing Orders relating to these commodities under the Bombay Essential Commodities and Cattle(Control) Act, 1946 with effect from 26-1-55. The President's sanction for amendment of schedule I to the Bombay Act to insert therein a new item relating to foodstuffs has already been received and the Notification to amend the Schedule with effect from 26-1-55 would be issued on 25-1-55. The existing Orders would also be reissued under the Bombay Act on 25-1-55, making them effective as from 26-1-55

3. As regards certain other commodities covered under the Essential Supplies (Temp. Powers) Act, 1946 viz.(1) coal, coke and other derivatives of coal, (2) component parts and accessories of automobiles, (3) cotton and wool textiles, (4) iron and steel including manufactured products of iron and steel, (5) paper including news print, paper board and straw, (6) petroleum and petroleum products, (7) vanaspati, sugar (9) vegetable oils and (10) salt, the Ministry of Commerce and Industry have intimated to all State Governments by their telegram No.0 8801 dated 20-1-55 that the Central Ordinance to be promulgated today would give the Central Government the power to regulate or prohibit the production etc. of the above commodities. The Ordinance would also provide for the continuance of the existing orders issued under the Essential Supplies (Temporary Powers) Act, 1946 in subject of the above articles

No provision appears to have been made for the continuation of the existing orders if any. relating to cattle fodder raw cotton and cotton seeds.

4. A copy of this note may be sent to the Finance Department, the Rural Development Deptt., the Agriculture and Forest Department, the Public Works Department and the Revenue Department for their information, along with a copy of the Commerce Ministry's telegram referred to para 3 above.

Id/-
21/1.

Q.Br. CIS1055/11485
P. W. D.

Submitted for information.

The further information from the Govt. of India may be awaited.

Id/-

Q Br CIS1055/11485
P. W. D.

Submitted.

The draft put up may issue if approved.

Id/-

Confidential.
No.CIS 1055/11495

Public Works Department,
Bombay Castle (Bombay No. 1)
11th April, 1955.

From

Shri K. L. Mehta, M. Com.,
Assistant Secretary to the Govt. of Bombay,
Public Works Department.

To

The Secretary to the Government of India,
Ministry of Commerce and Industries.
New Delhi.

Subject:- Continuance of the Control orders issued under the Essential Supplies (Temporary Powers) Act, 1946.

Sir,

I am directed to state that it is understood that the Ministry of Commerce and Industry was to promulgate an Ordinance on 31st January 1955, continuing the orders issued under the Essential Supplies (Temporary Powers) Act, 1946, in respect of certain commodities covered under the Act. I

.....

am to request that a copy of the Ordinance issued may kindly be supplied to this Government for information and guidance.

Yours faithfully,

Sd/-
Assistant Secretary to the Government of Bombay,
Public Works Department.

D.A.-Nil.

bss.8/6

THE ESSENTIAL COMMODITIES ORDINANCE,1955.

No.I of 1955.

Promulgated by the President in the Fifth year of the Republic of India.

An Ordinance to provide, in the interests of the general public, for the control of production, supply and distribution of, and trade and commerce in, certain commodities.

WHEREAS the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), which confers powers to control the production, supply and distribution of, and trade and commerce in, certain commodities, expires on the 26th day of January 1955.

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS it is necessary, in the interests of the general pub to provide for the continuance of such powers in relation to some the commodities specified in that Act and certain other commodities

NOW WHEREAS Now,THEREFORE, in exercise of the powers conferred b clause (1) of article 213 of the Constitution, the President is pleased to promulgate the following Ordinance.

1. Short title, extent and commencement.-(1) This Ordinance may be called the Essential Commodities Ordinance, 1955.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

3) It shall come into force on the 26th day of January 1955.

2. Definitions.- In this Ordinance, unless the context otherwise requires,-@ "essential commodity" means any of the following classes of commodities:

i) coal, including coke and other derivatives;
ii) component parts and accessories of authmobiles.
iii) cotton and woollen textiles;
iv) iron and steel, including manufactured products of iron and steel;
v) paper, including newspring, paper board and straw board;
vi) petroleum and petroleum products;
vii) salt;
viii) sugar;
ix) vanaspati;
x) vegetable oils;

and includes any other class of commodity which the Central Government may, by notified order, declare to be an essential commodity for the purposes of this Ordinance, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in list III in the Seventh Schedule to the Constitution;

b) "notified order" means an order notified in the Official Gazette;

c) "State Government" in relation to a Part C State means the Lieutenant Governor or the Chief Commissioner, as the case may

3. Powers to control production, supply, distribution, etc. of ess tial commodities.- 1) If the Central Government is of opinion that iti s necessary oor expedient so to do for maintaining or increasi supplies of any essential commodity or for securing their equitabl distribution and availability at fair prices, it may, by order,pro for regulating or prohibiting the production, supply and distributi thereof and trade and commerce therein.

2) Without prejudice to the generality of the powers conferr by sub-section (1), an order made thereunder may provide-

for regulating by licences, permits or otherwise the production storage

or manufacture of any essential commodity;

b) for controlling the prices at which any essential commodity ~~ordinarily~~ kept for sale; may be bought or sold;

c) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal acquisiton use or consumption of any essential commodity;

d) for prohibiting the withholding from sale of any essential commodity ordinarily kept for sale;

e) for requiring any personholding in stock any essential commodity to sell the whole or a specified part of the stock to such person or class of persons and in such circumstances as may be specified in the order;

f) for regulating or prohibiting any class of commercial or financial transactions relating to cotton textiles which, in the opinion of the authority making the order are, or, if unregulated, are likely to be, detrimental to the public interest;

g) for collecting any information or stistics with a view to regulating or prohibiting any of the aforesaid matters;

h) for requiring persons engaged in the production, supply or distribution of, or trade and commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in th the order;

i) for any incidental and supplementary matters, including in particular the entering, and search of premises, vehicles, vessels and aircraft, the seizure by a person authorised to make such search of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being or is about to be committed the grant of issue of licences, permits of other documents, and the charging of fees therefor.

(3) Where any person sells any essential commodity in compliance with an order made with reference to clause (c) of sub-section (2), there shall be paid to him the price therefore as hereinafter provided:-

a) where the price can, consistently with the controlled price, if any, fixed under this section, be agreed upon, the agreed price;

b) where no such agreement can be reached, the price calculated with reference to the controlled price, if any;

c) where neither clause (a) nor clause (b) applies, the price calculated at the market rate prevailing in the locality at the date of sale.

(4) If the Central Government is of opinion that it is necessary so to do for maintaining or increasing the production and supply of an essential commodity, it may, by order, authorise any person (hereinafter referred to as an authorised controller) to exercise with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be ~~in the production and supply of the commodity or may be~~ specified in the order such functions of control as may be provided therein and so long as such order is in force with respect to any undertaking or part thereof,

a) the authorised controller shall exercise his functions in accordance with any instructions given to him by the Central Government, so however that he shall not have any power to give any direction inconsistent with the provisions of any enactment or any instrument determining the functions of the

persons in charge of the management of the undertaking except in so far as may be specifically povided by the order; and

b) the undertaking or part shall be carried on in accordance with any directions given by the authorised controller under provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

(5) An order made under this section, shall,—

(a) in the case of an order of a general nature or affecting a class of persons, be notified in the Official Gazette, and

b) in the case of an order directed to a spcified individual be served on such individual-

i) by delivering or tendering it to that individual,on

ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of the premises in which that individual lives, and a written report thereof shall be prepared and witnessed by two persons living in the neighbourhood.

4. Powers to control inter-State trade and commerce in certain other commodities.-1) This section to applies to wheat, raw cotton (whether ginned or unginned), sugar-cane and any other commodity to which the Central Government may, by notified order, declare this section to apply.

2) If the Central Government is of opinion that it is necessary or expedient so to do for securing the equitable distribution and availability at fair prices of any commodity to which this section applies, it may, by notified order, provide for regulating by licences permits or otherwise inter-State trade and commerce in any such commodity, and the notified order may prescribe forms and conditions of licences or permits for regulating such trade and commerce, the authorities by which such licences or permits may be granted, the fees that may be charged therefor and any othermatter required to render effective the control over such trade and commerce.

5. Imposition of duties on State Governments, etc.- An order mad under section 3 of secton 4 may confer powers and impose duties upon the Central Government or the State Government or officers and authorities of the Central Government or state Government, and may contain directions to any State Government or to officers and authorities thereof as to the exercise of any such powers or the discharge of any such duties.

6. Delegation of powers.- The Central Government may, by notified order, direct that the power to make orders under section 3 shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by-

a) such officer or authority subordinate to the Central Government, or

b) such State Government or such officer or authority subordinate to a State Government,

as may be specified in the direction.

7. Effect of orders inconsistent with other enactments.- The

Any order made under section 3 or section 4 shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Ordinance or any instrument having effect by virtue of any enactment other than this Ordinance.

8. Penalties.- 1) If any person contravenes any order made under this Ordinance,-

a) he shall be punishable with imprisonment for a term which may extent to three years and shall also be liable to fine,

Provided that if the court is of opinion that a sentence of fine only will meet the ends of justice, it may, for reasons to be recorded, refrain from imposing a sentence of imprisonment; and

b) any peroperty in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government;

Provided that if the court is of opinion that it is not necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property, it may, for reasons to be recorded, refrain from doing so.

2) If any person to whom a direction is given under sub-section (4) of section 3 fails to comply with the direction he shall be punishable with imprisonment for a term which may extend to three ~~three~~ years, or with fine, or with both.

9. False statements.- If any person,-

i) when required by any order under this Ordinance to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish,

he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

10. Offences by companies.-(1) If the person contravening an order under section 3 or section 4 is a compny, every person who, at the time the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the contravention took place without his knowledge or that he exercised all due dilligence to prevent such contravention.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Ordinance has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also

be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.- For the purposes of this section,-

a) 'company' means any body corporate and includes a firm or other association of individuals; and

b) 'director' in relation to a firm means a partner in the firm.

11. Cognisance of offences.- No court shall take cognisance of any offence punishable under this Ordinance except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Indian Penal Code (Act XLV of 1860).

12. Special provision regarding fine.- Notwithstanding anything contained in section 32 of the Code of Criminal Procedure 1898 (Act V of 1898), it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf and for any presidency magistrate to pass a sentence of fine exceeding one thousand rupees on any person convicted of contravening any order made under section 3 or section 4.

13. Presumption as to orders.- Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Ordinance, a court shall presume that such order was so made by that authority within the meaning of the Indian Evidence Act, 1872 (I of 1872).

14. Burden of proof in certain cases.- Where a person is prosecuted for contravening any order under section 3 or section 4 which prohibits him from doing any act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, license or other document shall be on him.

15. Protection of action taken under Ordinance.- 1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order under section 3 or section 4.

2) No suit or other legal proceeding shall lie against the Govt. for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order under section 3 or section 4.

16. Savings.- Any order made or deemed to be made under the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), and in force immediately before the commencement of this Ordinance shall, in so far as such order may be made under this Ordinance, be deemed to be made under this Ordinance and continue in force, and accordingly any appointment made, licence or permit granted or direction issued under/~~this Ordinance~~ and ~~continue~~ in force immediately before such commencement shall continue in force unless and until it is superseded by any appointment made, licence or permit granted or direction issued under this Ordinance.

Any such order

HSS.6/6

RAJENDRA PRASAD,
President.

K.Y.BRAHMANANDAM,
Secy. to the Govt. of India.

MINISTRY OF LAW.

New Delhi, the 2nd April, 1955

The following Act of Parliament received the assent of the President on the 1st April, 1955 and is hereby published for general information:-

THE ESSENTIAL COMMODITIES ACT, 1955.

No. 10 of 1955.

(1st April, 1955)

An Act to provide, in the interests of the General Public, for the control of the productuion, supply and distribution of, and trade and ~~control~~ commerce in, certain commodities.

Be it enacted by Parliament in the Sixth Year of the Republic of India as follows:-

Short title & extent.

1. (1) This Act may be called the Essential Commodities Act, 1955.

(2) It extends to whole of India except the State of Jammu and Kashmir.

2. In this act, unless the context otherwise requires,-

Definitions

a) 'essential commodity' means any of the following classes of commodities:-

I) cattle fodder, including oilcakes and other concentrates;
ii) coal, including coke and other derivatives;
iii) competent parts and accessories of automobiles;
iv) cotton and woollen textiles;
v) foodstuffs, including edible oilseeds and oils;
vi) iron and steel, including manufactured products of iron and steel;
vii) paper, including newsprint, paperboard and straw board;
viii) petroleum and petroleum products;
ix) raw cotton, whether ginned or unginned, and cotton seed;
x) raw jute;
xi) any other class of commodity which the Central Government may, by notified order, declare to be an essential commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III in the Seventh Schedule to the Constitution;

b) 'food-crops' include crops of sugarcane;

c) 'notified order' means an order notified in the Official Gazette;

d) 'State Government' in relation to a Part C State means the Lieutenant Governor or the Chief Commissioner, as the case may be.

Powers to control production, Supply, distribution, etc., of essential commodities.

3.(1) If the Central Government is of opinion that it is necessary or expedient so to do for maintaining or increasing supplies of any essential commodity or for securing their equitable distribution and availability at fair prices, it may by order, provide for regulating or prohibiting the production supply and distribution thereof and trade and commerce therein

2) Without prejudice to the generality of the powers conferred by sub-section (1), an order made thereunder may provide-

a) for regulating by licences, permits or otherwise the production or manufacture of any essential commodity:

b) for bringing under cultivation any waste or arable land, whether appurtenant to a building or not, for the growing thereon of food-crops generally or of specified food-~~stuffs~~ crops and for otherwise maintaining or increasing the cultivation of food-crops generally, or of specified food-crops;

c) for controlling the price at which any essential commodity may be bought or sold;

d) for regulating by licences, permits or otherwise the storage, transport, distribution, disposal, acquisition use or consumption of, any essential commodity:

e) for prohibiting the withholding from sale of any essential commodity ordinarily kept for sale:

f) for requiring any person holding in stock any essential commodity to sell the whole or a specified part of the stock to such person or class of persons and in such circumstances as may be specified in the order:

g) for regulating or prohibiting any class of commercial or financial transactions relating to foodstuffs or cotton textiles which, in the opinion of the authority making the order, are, or, if unregulated, are likely to be, detrimental to the publicinterest:

h) for collecting any information or statistic with a view to regulating or prohibiting any of the aforesaid matters;

i) for requiring persons engaged in the production supply or distribution of, or trade and commerce in, any essential commodity to maintain and produce for inspection such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in the order:

j) for any incidental and supplementary matters, including in particular the entering and search of premises, vehicles, vessels and aircraft, the seizure by a person authorised to make such search of any articles in respect of which such person has reason to believe that a contravention of the order has been, is being, or is about to be committed, the grant or issue of licenses, permits or other documents, and the charging of fees therefor.

(3) Where any person sells any essential commodity in compliance with an order made with reference to clause (f) of sub section (2), there shall be paid to him the price therefore as hereinafter provided:-

a) where the price can, consistently with the controlled price, if any, fixed under this section, be agreed upon, the agreed price;

b) where no such agreement can be reached, the price calculated with reference to the controled price, if any;

c) where neither clause (a) nor clause (b) applies, the price calculated at the market rate prevailing in the locality at the date of sale.

(4) If the Central Government is of opinion that it is necessary so to do for maintaing or increasing the production and supply of an essential commodity, it may, by order, authorise any person(hereinafter referred to as an authorised controller) to exercise, with respect to the whole or any part of any such undertaking engaged in the production and supply of the commodity as may be specified in the order such functions of control as may be provided therein and so long as such order is in force with respect to any undertaking or part thereof,

a) the ana authorised controller shall exercise his functions in accordance with any instructions giveto him by the Central Government, so however, that he shall not have any power to give any direction inconsistent with the provisions of any enactment or any instrument determining the functions of the persons in charge of the management of the undertaking, except in so far as may be specifically provided by the order: and

b) the undertaking or part shall be carried on in accordance ance with any directions given by the authorised controller under the provisions of the order, and any person having any functions of management in relation to the undertaking or part shall comply with any such directions.

5) An order made under this section shall

a) in the case of an order of a general nature or affecting a class of persons, be notified in the Official Gazette; and

b) in the case of an order directed to a specified individual be served on such individual-

i) by delivering or tendering it to that individual, or

ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of the premises in which that indidual lives, and a written report thereof shall be prepared and witnessed by two persons living in the neighbourhood.

(6) Every order made under thissection by the Central Government or by any officer or authority of the Central Government shall be laid before both Houses of Parliament, as soon as may be, after it is made.

4. An order made under section 3 may confer powers and impose duties upon the Central Government or the State Government or officers and authorities of the Central Government or State Government, and may contain directions to any State Government or to officers and authorities thereof as to the exercise of any such powers or the discharge of any such duties. Imposition of duties State Governments, etc.

5. The Central Government may, by notified order, direct that the power to make orders under section 3 shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also by- Delegation of powers.

(a) such officer or authority subordinate to the Central Government, or

(b) such state Government or such officer or authority subordinate to a State Government,

as may be specified in the direction.

6. Any order made under section 3 shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act. Effect of orders inconsistent with other enactments.

7.(1) If any person contravenes any order made under section 3- Penalties.

a) he shall be punishable-

i) in the case of an order made with reference to clause (h) or clause (i) of subsection (2) of that section, with imprisonment for a term which may extend to one year and shall also be liable to fine. and

ii) in the case of any other order, with imprisonment for a term which may extend to three years and shall also be liable to fine:

Provided that if the court is of opinion that a sentence of fine only will meet the ends of justice, it may, for reasons to be recorded, refrain from imposing a sentence of imprisonment; and

b) any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government:

Provided that if the court is of opinion that it is not necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property, it may, for reasons to be recorded, refrain from doing so.

(2) If any person to whom a direction is given under clause (b) of sub-section (4) of section 3 fails to comply with the direction he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

8. Any person who attempts to contravene, or abets a contravention, of any order made under section 3 shall be deemed to have contravened that order Attempts and abetment

False Statements.

9. If any person,-

i) when required by any order made under section 3 to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or

ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish.

he shall be punishable with imprisonment for a term which, may extend to three years, or with fine, or with both.

Offences by Companies.

10. (1) If the person contravening an order made under section 3 is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingl

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the contravention took place without his knowledge or that he exercised all due dilligence to prevent such contravention.

(2) Notwithstanding any thing contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingl

Explanation.- For purposes of this section,-

(a) 'company' means any body corporate, and includes a firm or other association of individuals; and

b) 'director' in relation to a firm means a partner in the firm.

Cognizance of offences.

11. No court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Indian Penal Code.

XLV of 1860

Special provision regarding fine.

12. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any magistrate of the first class specially empowered by the State Government in this behalf and for any presidency magistrate to pass a sentence of fine exceeding one thousand ruppees on any person convicted of contravening any order made under section 3.

V of 1898

Presumption as to orders.

13. Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Act, a court shall presume that such order was so made by that authority within the meaning of the Indian Evidence Act, 1872.

14. Where a person is prosecuted for contravening any order made under section 3 which prohibits him from doing any act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document shall be on him. Burden of proof in certain cases.

15. (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made under section 3. Protection of action taken under Act.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of any order made under section 3.

I of 1955. 16. (1) The following laws are hereby repealed:- Repeals and savings.

a) the Essential Commodities Ordinance, 1955;

b) any other law in force in any state immediately before the commencement of this Act in so far as such law controls or authorises the control of the production, supply and distribution of, and trade and commerce in, any essential commodity.

(2) Notwithstanding such repeal, any order made or deemed to be made by any authority whatsoever, under any law repealed hereby and in force immediately before the commencement of this Act, shall, in so far as such order may be made under this Act, be deemed to be made under this Act and continue in force, and accordingly any appointment made, licence or permit granted or direction issued under any such order and in force immediately before such commencement shall continue in force until and unless it is superseded by any appointment made, licence or permit granted or direction issued under this Act.

(3) The provisions of sub-section (2) shall be without prejudice to the provisions contained in section 6 of the General Clauses Act, 1897, which shall also apply to the repeal of the Ordinance or other law referred to in sub-section (1) as if such Ordinance or other law had been an enactment. X of 1897.

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K.Y.BHANDARKAR,
Secy. to the Govt. of [illegible].

No. 24/4/55-I.P.(B)
Government of India
Ministry of Commerce and Industry.

New Delhi, the 28th/29th April, 56.

From

Shri T. S. Kunchithapathan,
Under Secretary to the Government of India,

To

The Secretary to the Government of Bombay,
Public Works Department,
Bombay Castle (Bombay No.1).

Subject:- The Essential Commodities Act, 1955.

Sir,

I am directed to refer to your letter No. CIS 1055/11486 Q, dated the 11th April, 1955, on the above subject, and to say that an Ordinance called Essential Commodities Ordinance 1955 (copy enclosed) had been promulgated on the expiry of the Essential Supplies (Temporary Powers) Act, 1946. It came into force on the 26th day of January 1955. The Essential Commodities Act, 1955 which has come into force with effect from the 2nd April, 1955 has, inter-alia, repealed the Ordinance. A copy of the Act is also enclosed for your information.

Yours faithfully,

Sd/-
(T. S. Kunchithapathan)
Under Secretary to the Government of India.

mss.9/6